



Mr C Stewart-Farthing

Code A

Date 20 December 2006

Your ref

Our ref 4/LXM

Code A

Dear Mr Stewart-Farthing

General Medical Council - Dr Barton

We are instructed by the General Medical Council in relation to the investigation of the above doctor. The General Medical Council has been notified by Hampshire Constabulary that the Crown Prosecution Service does not intend to prosecute any individual following completion of their investigation of deaths at the Gosport War Memorial Hospital.

It may assist you to explain that the role of the General Medical Council is to investigate allegations of serious professional misconduct, then present those allegations and the evidence in support of the allegations to a Fitness to Practise Panel. The Fitness to Practise Panel considers whether the practitioner is guilty of serious professional misconduct, and if so, what sanction should be imposed upon the practitioner. The sanctions available to the Panel are to issue a reprimand, impose conditions upon the practitioner's practice, to suspend the practitioner, or to erase the practitioner from the medical register.

Whilst the police will have been considering the issue of whether there was any conduct capable of forming a criminal offence, the General Medical Council considers a very different test: whether the conduct falls below the professional standards set out in its Guidance "Good Medical Practice". Good Medical Practices describes the principles and standards of competence, care and conduct expected of the practitioner. Therefore, the fact that the Crown Prosecution Service does not intend to prosecute poses no bar to the General Medical Council's own investigation.

I will now be liaising with Hampshire Constabulary to obtain information from them which will be relevant to our investigation on behalf of the General Medical Council. Upon consideration of the relevant information, I will contact you with further details. In the meantime, I understand that Hampshire Constabulary has requested that you provide your consent to allow them to share the evidence it has gathered with us, including the relevant medical records. I urge you to complete and return the consent form as soon as possible, in order that we can progress the investigation promptly.

Yours sincerely

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Luisa Morris
FOR EVERSHEDES LLP

Eversheds LLP
1 Callaghan Square
Cardiff
CF10 5BT

Tel 0845 497 9797
Fax 0845 498 7333
Int +44 20 7497 9797
DX 33016 Cardiff
www.eversheds.com



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